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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/810,136 | 03/26/2004 | Ken Kawahata | ALPSP150 | 8841 |
| 22434 | 7590 | 07/12/2004 | EXAMINER | |
| BEYER WEAVER & THOMAS LLP P.O. BOX 778 BERKELEY, CA 94704-0778 | | | ELLINGTON, ALANDRA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2855 | |

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,136

Applicant(s)

KAWAHATA, KEN

Examiner

Alandra N Ellington

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-6 is/are rejected.
- 7) ☒ Claim(s) 3 and 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/26/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Suga (6,234,031).

- a. With respect to Claim 1, Suga discloses a surface pressure distribution sensor comprising row lines 113 having a plurality of conductors extending in parallel to each other in a first direction; column lines 114 having a plurality of conductors extending in parallel to each other in a second direction across the first direction; and a substrate 101 including the row lines 113 and a substrate 105 including the column lines 114, wherein at least one of the substrates 105 comprises a flexible film substrate 105,107, and a pressure distribution is detected based on an electrostatic capacitance change at intersections of the row lines 113 and the column lines 114 (col. 9 lines 9-25,34-67, col. 10 lines 14-23 {Figs. 6 and 7}).

- b. With respect to Claim 2, Suga discloses a surface pressure distribution sensor according to claim 1, wherein the row lines 113 and the column lines 114 are formed on first and second independent substrates 101,105, respectively, and the first and second substrates 101,105 overlap so that the row lines 113

and the column lines 114 intersect with each other (col. 9 lines 9-33,53-67, col. 10 lines 14-23 {Figs. 6 and 7}).

c. With respect to Claim 4, Suga discloses a surface pressure distribution sensor according to any one of claims 1 through 3, wherein the flexible film substrate 105 is made of a resin having different thermal shrinkages in the first and second directions; the row lines 113 and the column lines 114 are formed so as to extend in the higher-thermal-shrinkage direction when a film stress caused by the row lines 113 or the column lines 114 is a tensile stress; and the row lines 113 and the column lines 114 are formed so as to extend in the lower-thermal-shrinkage direction when the film stress is a compressive stress (col. 12 lines 53-67, col. 13 lines 9-38).

d. With respect to Claim 5, Suga discloses a surface pressure distribution sensor according to any one of claims 1 through 3, at least either the row lines 113 or the column lines 114 are coated with an insulating film 102 (col. 9 lines 19-25,34-38 {Fig. 6}).

e. With respect to Claim 6, Suga discloses a surface pressure distribution sensor according to claim 5, wherein the flexible film substrate 105 is made of a resin having different thermal shrinkages in the first and second directions; the row lines 113 and the column lines 114 are formed so as to extend in the higher-thermal-shrinkage direction when a film stress caused by the row lines 113 or the column lines 114 is a tensile stress; and the row lines 113 and the column lines

114 are formed so as to extend in the lower-thermal-shrinkage direction when the film stress is a compressive stress (col. 12 lines 53-67, col. 13 lines 9-38).

Allowable Subject Matter

3. Claims 3 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: The reasons for the indication of allowable subject matter is based on the inclusion of *the row lines and the column lines formed on the flexible film substrate, and the flexible film substrate is folded at a predetermined position so that the row lines and the column lines intersect with each other.*

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Harkin (6,327,376) discloses a fingerprint sensing device.
- b. Zellner et al (6,481,294) discloses a capacitance measuring fingerprint sensor.
- c. Ganapathi et al (6,578,436) discloses a pressure fingerprint sensing device.
- d. Deconde et al (6,672,174) discloses a fingerprint image device.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alandra N Ellington whose telephone number is (571)

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272-2178. The examiner can normally be reached on Monday - Friday, 7:30am - 4:00pm.


7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alandra Ellington
Art Unit 2855



ane



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